

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT NEW YORK**


SCOTT PONTONE, Plaintiff vs. THE YORK GROUP, INC., MILSO INDUSTRIES CORPORATION, and MATTHEWS INTERNATIONAL CORPORATION, Defendants	Docket No. 08-cv-6314 (WHP) ORDER TO SHOW CAUSE FOR PRELIMINARY INJUNCTION <i>7</i> <i>7/15/08</i> <i>1:00 PM</i> <i>108751</i>
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ORDER TO SHOW CAUSE FOR PRELIMINARY INJUNCTION

Upon the Complaint in this Action, Plaintiff's Motion for Preliminary Injunction, the Declaration of Scott Pontone dated July 15, 2008, the Declaration of Edmund Aronowitz dated September July 15, 2008, the exhibits attached thereto, and the accompanying Memorandum of Law in Support of Plaintiff's Motion for Preliminary Injunction, (collectively the "Supporting Papers") hereto annexed it is

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hmm ORDERED, that the above named defendants show cause before this Court, at Room 2210, United States Courthouse, 500 Pearl Street, in the City, County and State of New York, on July 22, 2008 at 1:00 o'clock in the after noon thereof, or as soon thereafter as counsel may be heard, why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure preliminarily enjoining defendants and all persons acting on their behalf during the pendency of this action (1) from seeking to enforce or threatening to enforce the "Restrictions on Competition" and "Non-Solicitation of Customer and Suppliers"

sections (the "Restrictive Covenants") set forth in the Second Amendment to the Key Employee Employment Agreement and Asset Purchase Agreement dated May 30, 2007, between Mr. Pontone and defendants (the "2007 Amendment"), (2) from asserting or implying to third parties that by employing or engaging in business with Mr. Pontone that they may be inducing a breach of the Restrictive Covenants, and (3) from suspending or ceasing the bi-weekly payments due to Mr. Pontone under the 2007 Amendment; and it is further


 ORDERED that personal service of a copy of this order and the Supporting Papers upon defendants or their counsel on or before July 18, 2008 shall be deemed good and sufficient service thereof.

 Dated: New York, New York

July 18, 2008

 Issued: _____

SO ORDERED


United States District Judge
